

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

KURT ANGELONE,  
Plaintiff,  
v.  
MICHAEL FURST, *et al*,  
Defendants.

Case No. C07-5538RJB-KLS

**ORDER DENYING PLAINTIFF'S  
THIRD MOTION FOR AN  
EXTENSION OF TIME**

This matter has been referred to Magistrate Judge Karen L. Strombom pursuant to 28 U.S.C. § 636(b)(1), Local Rules MJR 3 and 4, and Rule 72 of the Federal Rules of Civil Procedure. The case is before the Court on plaintiff's filing of a third motion for an extension of time (Dkt. #132) for filing a response to defendants' motion to dismiss. (Dkt. #103). After reviewing plaintiff's motion and the balance of the record, the Court finds and orders as follows:

This is the third time plaintiff has requested an extension of time in which to respond to defendants' motion to dismiss. The Court granted plaintiff's first motion for an extension of time on October 28, 2008. (Dkt. #105, #110). Although the Court was disinclined to grant plaintiff's second motion for an extension of time, because the purported reasons therefore put forth by plaintiff did not warrant the granting of such a request, it nevertheless gave an additional 20 days in which to file his response because the previously extended deadline already had passed. (Dkt. #114, #120).

Plaintiff's response thus was due on December 10, 2008, resulting in plaintiff being provided with

1 an additional 31 days in which to file his response. In addition, plaintiff was warned that he would be  
2 granted no further extensions of time in which to do so. The Court received two responses from plaintiff  
3 to defendants' motion for summary judgment on November 17, 2008 (Dkt. #119), and December 9, 2008  
4 (Dkt. #127). Plaintiff points out in his current motion for an extension of time that those responses only  
5 concerned one of the named defendants.

6 Plaintiff, however, does not explain why he also could not have responded with respect to any of  
7 the other defendants at the same time. Nor does plaintiff provide any other relevant or valid bases for the  
8 Court to re-consider its prior warning that he would not be granted any further extensions. Accordingly,  
9 the Court declines to do so. For all of the foregoing reasons, therefore, plaintiff's third motion for an  
10 extension of time (Dkt. #132), hereby is DENIED.

11 The Clerk is directed to send a copy of this Order to plaintiff and counsel for defendants.

12 DATED this 26th day of January 2009.

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16 Karen L. Strombom  
17 United States Magistrate Judge  
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